

STATE OF NEW HAMPSHIRE
BOARD OF PHARMACY

June 16, 2004

A regular meeting of the New Hampshire Board of Pharmacy was held on **June 16, 2004** at the Board office, 57 Regional Drive, Concord, New Hampshire. The meeting was **called to order at 10:05 a.m.** with President Margaret E. Hayes presiding.

I. ROLL CALL - AGENDA REVIEW - ANNOUNCEMENTS

PRESENT

Margaret E. Hayes, President
Kristina Genovese, Vice-President
George L. Bowersox, Treasurer
Sandra B. Keans, Secretary
Vahrij Manoukian, Member
Ronald L. Petrin, Member

ALSO PRESENT

Paul G. Boisseau,
Executive Secretary
Peter A. Grasso
Chief Compliance Investigator

ALSO ATTENDING

- Donna Farrar** - 6th year student MCPHS-Boston. Guest of Commissioner Petrin.
- Donna Horn** - President, National Association of Boards of Pharmacy.

II. REVIEW OF ACTION ITEMS

A. **FLORIDAINFUSION/NATIONS DRUG**

1053 Progress Court
Palm Harbor, FL 34683

Non-compliance with request to license as a wholesaler/distributor, according to RSA 318:51-a, and doing business in the State of NH.

Board review: November 19, 2003

Awaiting response from Florida Infusion/Nations Drug to Attorney General's March 2, 2004 letter alleging violation of RSA 318:51-a **and the Board's subsequent request that the Attorney General pursue criminal prosecution.**

(See April 21, 2004 meeting minutes). No updates from the AG's office have

been received.

B. FLORIDA INFUSION PHARMACY

4190 Corporate Court
Palm Harbor, FL 34683

Non-compliance with request to license as a mail-order pharmacy, according to RSA 318:37,II(a) and doing business in the State of NH.

Board review: November 19, 2003

Awaiting response from Florida Infusion Pharmacy to Attorney General's March 2, 2004 letter alleging violation of RSA 318:51-a **and the Board's subsequent request that the Attorney General pursue criminal prosecution. (See April 21, 2004 meeting minutes). No updates from the AG's office have been received.**

C. Medication Assistance Programs

Pursuant to Commissioner Bowersox's preliminary report at the March 17, 2004 Board meeting (see *Minutes*), a comprehensive report of findings and proposed resolution (action guidelines) is still in process. The Board is currently reviewing Ohio's Drug Repository Program which allows for the donation of previously dispensed prescription drugs to locations that would use them for treating patients who were unable to pay. Staff is also in the process of contacting other state boards of pharmacy for input.

D. Automated Dispensing Machines

Update on labeling of Baxter-type cells utilized in automatic (robotic) dispensing systems.

Agenda item tabled January 21, 2004 pending additional information.

Issue continues to be researched.

III. REVIEW / ADOPTION OF MINUTES

Minutes of the **April 21, 2004 special meeting** of the Board were accepted as submitted. **(Manoukian/Petrin). Voted (unanimous).**

Minutes of the **May 19, 2004 special meeting** of the Board were accepted as submitted. **(Petrin/Manoukian). Voted (unanimous).**

Minutes of the **May 19, 2004 regular meeting** of the Board were accepted as submitted. **(Genovese/Bowersox). Voted (unanimous).**

IV. LICENSING

A. **Pharmacist**

PETALAS, Charles Paul

136 South Shore Drive

Center Barnstead, NH 03225

NH License No. R0497

- Reinstatement application and fees complete.
- Continuing education requirements satisfied.
- Successful completion of the MPJE (NH jurisprudence examination).

Motion (Petrin/Keans) to reinstate Mr. Petalas' NH license (No. R0497) to practice pharmacy effective immediately. Voted (unanimous).

B. **Pharmacy**

New

CVS PHARMACY #5938

79 South Main Street

Hanover, NH 03755

Pharmacist-In-Charge: **Ericka A. Shepard, R.Ph.**

NH License No. 3263

Corporate Officer/Supervisor: **Tim Dambach**

District Sales Manager

Application complete.

Motion (Keans/Bowersox) granting a temporary permit to CVS Pharmacy #5938 located at 79 South Main Street, Hanover, NH, based upon the successful completion of the primary inspection, and issuance of the

original permit upon successful completion of the secondary inspection pursuant to Ph 305.02. Voted (unanimous).

V. COMPLIANCE UNIT

A. **Activity Report**

- May 2004

Motion (Manoukian/Keans) to accept the report as submitted. Voted (unanimous).

VI. NEW BUSINESS

A. **Joint Health Council Appointment**

BROWN, Jack E.

P.O. Box 1154

Grantham, NH 03753

Motion (Manoukian/Bowersox) to appoint Jack E. Brown, Jr., PharmD (NH License No. R1811) to serve on the NH Joint Health Council according to the provisions of NH RSA 326-B:10-a effective July 22, 2004 for a 3-year term ending July 22, 2007. Voted (unanimous).

N.B. Dr. Brown succeeds Dr. Michael G. Carvalho who is completing 4-years of service on the Council.

B. **Rulemaking**

1. **Motion (Petrin/Bowersox) to approve the initial proposal to adopt Chapter Ph 200 of the NH Code of Administrative Rules, all sections of which expired on February 5, 2004. No changes are submitted. Public hearing to be scheduled. Voted (unanimous).**
2. **Motion (Petrin/Bowersox) to approve the initial proposal to adopt (as amended) various sections of Chapters Ph 300 through 700 of the NH Code of Administrative Rules, which expired on February 5, 2004. No changes are submitted to any of the rules being reinstated.**

“Amended” refers to the inclusion of those selected provisions of Ph 300-700 which have expired and are being inserted into those sections which have not expired. Public hearing to be scheduled. Voted (unanimous).

VII. ADJOURNED 11:28 A.M.

Respectfully submitted,

Sandra B. Keans
Secretary
FOR THE BOARD